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REMARKS/DISCUSSION OF ISSUES

In the Non-Final Office Action, Examiner Nguyen rejected pending claims 1-25 on various grounds. The Applicant responds to each rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112:

- A Examiner Nguyen rejected claims 1-4, 8-13 and 17-25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Pub. No. 2001/0013854 to *Ogoro* in view of U.S. Patent No. 6,313,586 to *Yamamoto et al.*

The Applicant has thoroughly considered Examiner Nguyen's remarks concerning the patentability of claims 1-4, 8-13 and 17-25 over *Ogoro* in view of *Yamamoto*. The Applicant has also thoroughly read *Ogoro* and *Yamamoto*. To warrant this obviousness rejection of claims 1-4, 8-13 and 17-25, there must be some suggestion or motivation to modify *Ogoro* in view of *Yamamoto* as proposed by Examiner Nguyen. See, MPEP §2143. The Applicant respectfully traverses this obviousness rejection of claims 1-4, 8-13 and 17-25, because there is no suggestion or motivation to modify *Ogoro* in view of *Yamamoto* as proposed by Examiner Nguyen in view of the fact that *Ogoro* teaches away from the modification of *Ogoro* in view of *Yamamoto* as proposed by Examiner Nguyen.

Specifically, Examiner Nguyen respectfully asserts that *Ogoro* differs from claims 1-4, 8-13 and 17-24 by failing to teach an intermediate control signal causing a power unit to increase a current to a lamp from a normal mode current to an intermediate current that is above a highlighting mode current, and then to subsequently decrease the current from the intermediate current to the highlighting mode current as encompassed by limitations in claims 1-4, 8-13 and 17-24. Examiner Nguyen further respectfully asserts that *Yamamoto* does teach the aforementioned limitations of claims 1-4, 8-13 and 17-24, and therefore it would have been obvious to

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one of ordinary skill in the art at the time of the invention of the present application to incorporate the teachings of *Yamamoto* in *Ogoro* whereby *Ogoro* would increase a current to a lamp from a normal mode current to an intermediate current that is above a highlighting mode current, and then to subsequently decrease the current from the intermediate current to the highlighting mode current.

The Applicant respectfully traverses this obviousness rejection for two reasons. First, as illustrated in FIG. 3, *Yamamoto* teaches a three-step change to a current supplied to a lamp. The first current change is an increase from zero (0) current to a overcurrent I_o , which is maintained for a first time interval that ends upon the luminous energy reaching a predetermined energy level below a stable energy level. The second current change is a decrease from overcurrent I_o to a current I_p , which is maintained for a second time interval that ends upon the luminous energy reaching the stable energy level. The last current change is a decrease from current I_p to a current I_c corresponding to the stable energy level, which is maintained for a third time interval that ends upon a completion of the operation of the lamp. See, *Yamamoto* at column 3, lines 39-67. Clearly, the additional current ($I_o + I_p - 2I_c$) over the first time interval and the second time interval induces an overall increase in power consumption.

Second, *Ogoro* teaches having two or more brightness levels with each brightness level discretely corresponding to one or more particular operations modes. To this end, *Ogoro* teaches a first embodiment of a LED controller 40 having a pair of resistors 41.1 and 41.2 connected to LED 51 as illustrated in FIG. 4, and a second embodiment of a LED controller 40 having a resistor 41 connected in series between a chopper 44 and a led 51 as illustrated in FIG. 5. To incorporate *Yamamoto* into the first embodiment of the LED controller 40, *Ogoro* would have to add a third resistor 41.3 to generate the overcurrent. To incorporate *Yamamoto* into the second embodiment of the LED controller 40, *Ogoro* would have to operate the chopper in an overcurrent mode.

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However, the objective of *Ogoro* is to suppress excessive power consumption while maintaining a necessary brightness of a backlighting device in a particular operation mode (e.g., a backlighting LED unit 103 shown in FIG. 1 of *Ogoro*). See, *Ogoro* at paragraphs [0009]-[0017]. Moreover, *Ogoro* teaches away from attaching greater importance to visibility and design factors over the need to reduce power consumption to a minimum level. See, *Ogoro* at paragraph [0008]. Thus, one of ordinary skill in the art at the time of the invention of the present application would not have been motivated to incorporate the overshoot current teachings of *Yamamoto* in *Ogoro*, because such an incorporation was discouraged by *Ogoro* and would violate the reduced power consumption principle of *Ogoro*.

The aforementioned argument also applies to the limitations of independent claim 25.

Withdrawal of the rejection of claims 1-4, 8-13 and 17-25 under §103(a) as being unpatentable over *Ogoro* in view of *Yamamoto* is therefore respectfully requested.

- B. Examiner Nguyen rejected claims 5, 6, 14 and 15 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Pub. No. 2001/0013854 to *Ogoro* in view of U.S. Patent No. 6,313,586 to *Yamamoto* et al. and in further view of U.S. Patent No. 6,496,236 to *Cole* et al.

Claims 5 and 6 depend from independent claim 1. Therefore, dependent claims 5 and 6 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 5 and 6 are allowable over *Ogoro* in view of *Yamamoto* and in further view of *Cole* for at least the same reasons as set forth with respect to independent claim 1 being allowable over *Ogoro* in view of *Yamamoto*. Withdrawal of the rejection of dependent claims 5 and 6 under 35 U.S.C. §103(a) as being unpatentable over *Ogoro* in view of *Yamamoto* and in further view of *Cole* is respectfully requested.

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Claims 14 and 15 depend from independent claim 10. Therefore, dependent claims 14 and 15 include all of the elements and limitations of independent claim 10. It is therefore respectfully submitted by the Applicant that dependent claims 14 and 15 are allowable over *Ogoro* in view of *Yamamoto* and in further view of *Cole* for at least the same reasons as set forth with respect to independent claim 10 being allowable over *Ogoro* in view of *Yamamoto*. Withdrawal of the rejection of dependent claims 14 and 15 under 35 U.S.C. §103(a) as being unpatentable over *Ogoro* in view of *Yamamoto* and in further view of *Cole* is respectfully requested.

- C Examiner Nguyen rejected claims 7 and 16 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Pub. No. 2001/0013854 to *Ogoro* in view of U.S. Patent No. 6,313,586 to *Yamamoto et al.*, in view of U.S. Patent No. 6,496,236 to *Cole et al.* and in further view of U.S. Patent No. 6,693,619 to *Muria et al.*

Claim 7 depends from independent claim 1. Therefore, dependent claim 7 includes all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claim 7 is allowable over *Ogoro* in view of *Yamamoto* and *Cole* and in further view of *Muria* for at least the same reasons as set forth with respect to independent claim 1 being allowable over *Ogoro* in view of *Yamamoto*. Withdrawal of the rejection of dependent claim 7 under 35 U.S.C. §103(a) as being unpatentable over *Ogoro* in view of *Yamamoto* and *Cole* and in further view of *Muria* is respectfully requested.

Claim 16 depends from independent claim 10. Therefore, dependent claim 16 includes all of the elements and limitations of independent claim 10. It is therefore respectfully submitted by the Applicant that dependent claim 16 is allowable over *Ogoro* in view of *Yamamoto* and *Cole* and in further view of *Muria* for at least the same reasons as set forth with respect to independent claim 10 being allowable over *Ogoro* in view of *Yamamoto*. Withdrawal of the rejection of dependent claim 16 under 35 U.S.C. §103(a) as being unpatentable over *Ogoro* in view of *Yamamoto* and *Cole* and in further view of *Muria* is respectfully requested.

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SUMMARY

Examiner Nguyen's rejections of pending claims 1-25 have been obviated by the remarks herein supporting an allowance of claims 1-25 over the art of record, particularly a combination of *Ogoro* and *Yamamoto*. The Applicant respectfully submits that claims 1-25 as listed herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Nguyen is respectfully requested to contact the undersigned at the telephone number listed below.

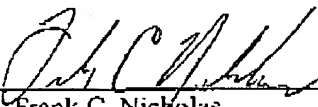
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Respectfully submitted,
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